



**UNITED STATES DEPARTMENT OF COMMERCE**  
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

09/416,779 10/13/99 PREPARATE

F BUV-003.01

025181  
FOLEY, HOAG & ELIOT, LLP  
PATENT GROUP  
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BOSTON MA 02109

HM12/0202

EXAMINER

ZEMAN, M

ART UNIT

PAPER NUMBER

1631

DATE MAILED:

02/02/01

9

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



**UNITED STATES DEPARTMENT OF COMMERCE**  
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Washington, D.C. 20231

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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|

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| EXAMINER |
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| ART UNIT | PAPER |
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SEE ATTACHMENT

Art Unit: 1631

The reply filed on 12/15/00 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's amendment was not entered, as there seems to be great confusion over claim numbering. As set forth in the restriction requirement, the designation "6a" is not proper in US Practice, and was renumbered as a separate claim "7" This results in the renumbering of the following claims as well. As set forth previously, the numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

**Misnumbered claims 6a-18 have been renumbered 7-19.**

Applicant should renumber their own files to correspond to these numbers, and then resubmit a proper election of claims as set forth in the restriction requirement, identifying the proper group, and/or a proper cancellation of nonelected claims. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary K Zeman whose telephone number is (703) 305-7133. The examiner can be reached between the hours of 7:30 am and 5:00 pm Monday through Thursday, and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, can be reached at (703) 308 4028.

The fax number for this Art Unit is (703) 308-4426.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center receptionist whose telephone number is (703) 308-0196.

mkz  
January 29, 2001



MARY K. ZEMAN  
PATENT EXAMINER

A.D. 1631